

Chief Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$65,119.00 IN UNITED STATES  
CURRENCY, more or less, and all  
proceeds therefrom,

Defendant.

NO. C07-560RSL

DEFAULT JUDGMENT  
OF FORFEITURE

Plaintiff, United States of America, filed its Verified Complaint for Forfeiture of \$65,119.00 in United States Currency, more or less, and all proceeds therefrom, (hereinafter collectively referred to as “the defendant currency”) brought pursuant to Title 21, United States Code, Section 881(a)(6) for violation of Title 21, United States Code, Sections 841(a)(1), and 846.

Notice of the forfeiture action was published in The Daily Journal of Commerce on July 3, 10, and 17, 2007. All interested persons were advised to file their claims pursuant to Supplemental Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the Court within thirty (30) days after the date of the publication and to serve their Answers to the Complaint within twenty (20) days after the filing of a claim.

\\

\\

\\

1 In addition, Plaintiff has served the Complaint, Notice of this action, and Warrant  
2 of Arrest on Garrett Zwar, Christopher Zahn, and all identified potential claimants to the  
3 defendant currency.

4 On July 18, 2007, Immigration and Custom's Enforcement (ICE) Special Agent  
5 Steve Cagen perfected personal service of the Verified Complaint for Forfeiture, Notice  
6 of Complaint for Forfeiture in rem, and Warrant of Arrest in rem on Garrett Zwar at an  
7 arranged meeting at a gas station in Patros, Washington. See Docket No. 6.

8 On July 18, 2007, Immigration and Custom's Enforcement (ICE) Special Agent  
9 Steve Cagen perfected personal service of the Verified Complaint for Forfeiture, Notice  
10 of Complaint for Forfeiture in rem, and Warrant of Arrest in rem on Christopher Zahn at  
11 an arranged meeting at a gas station in Patros, Washington. See Docket No. 7.

12 On October 17, 2007, on application of the United States, the Clerk of the Court  
13 entered an Order of Default as to the defendant currency against Garrett Zwar,  
14 Christopher Zahn, and any unknown persons who failed to file a claim.

15 More than thirty-five (35) days have elapsed since all possible claimants were  
16 served with the Complaint for Forfeiture and related documents. In addition, more than  
17 thirty (30) days have elapsed since the date notice of this action was published.

18 No parties have filed claims and the time allowed for filing of such claims has  
19 expired.

20 Now, therefore, on motion of the Plaintiff, the United States of America, for a  
21 Default Judgment of Forfeiture, it is hereby

22 \\  
23 \\  
24 \\  
25  
26  
27  
28

1 ORDERED, ADJUDGED and DECREED as follows:

2 1. This Court has jurisdiction over this action under Title 28, United States  
3 Code, Sections 1345 and 1355 and venue pursuant to Title 28, United States Code,  
4 Section 1395.

5 2. The defendant currency, \$65,119.00 in United States Currency, more or  
6 less, and all proceeds therefrom, is hereby forfeited to the United States of America, and  
7 no right, title or interest in the above-described defendant currency shall exist in any  
8 other party.

9 3. The United States Department of Homeland Security, Customs and Border  
10 Protection shall dispose of the above-described defendant currency in accordance with  
11 law.

12 4. The Clerk of the Court shall deliver three (3) "raised seal," certified copies  
13 of the Default Judgment of Forfeiture to the United States Attorney's Office in Seattle,  
14 Washington.

15 DATED this 6th day of November, 2007.

16  
17 

18 Robert S. Lasnik  
19 United States District Judge  
20  
21

22 Presented by:

23 s/Richard E. Cohen

24 RICHARD E. COHEN  
25 Assistant United States Attorney  
26 700 Stewart Street, Suite 5220  
27 Seattle, Washington 98101-1271  
28 Telephone: 206-553-2242  
Fax No.: 206-553-6934  
E-Mail: Richard.E.Cohen@usdoj.gov